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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/521,290   | 01/14/2005  | Suzanne Van Egmond   | NL 020637           | 8577             |
| 24737  | 7590        | 07/07/2006           | EXAMINER            |                  |
| PHILIPS INTELLECTUAL PROPERTY & STANDARDS<br>P.O. BOX 3001<br>BRIARCLIFF MANOR, NY 10510 |             |                      | LIE, ANGELA M       |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2163                |                  |

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/521,290

Applicant(s)

VAN EGMOND, SUZANNE

Examiner

Angela M. Lie

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 14 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Giannopoulos et al (US Patent 6160361).

As to claim 1, Giannopoulos discloses an apparatus capable of performing a method comprising the steps of: applying an amplitude modulated control current (Figure 2, element 107; column 1, lines 54-55; wherein the current level corresponds to current amplitude) to a discharge lamp (Figure 1, element 25), detecting the peak value of the lamp voltage at a rising edge of the envelope of the modulated control current (column 1, lines 50-59), and comparing the detected peak value with previously recorded peak values for different lamp types (column 1, lines 62-64; wherein the data has to be stored in order to be compared later on, because otherwise such a comparison would not be possible), and assigning the detected peak value to a lamp on the basis of the comparison (column 1, lines 62-64).

As to claim 2, Giannopoulos discloses a device comprising: means for supplying a control current (Figure 2, elements 101 and 107) to a discharge lamp (Figure 1, element 25), is characterized by the presence of means for amplitude-modulating the

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control current to the lamp (column 1, lines 54-55, wherein current level corresponds to current amplitude), peak detection means for detecting the peak voltage across the lamp at a rising edge of the envelope of the envelope of the amplitude-modulated control current (column 1, lines 51-59), recording means for recording peak voltages associated with lamp types (Figure 1, elements 49 and 42) and means for comparing the measured peak voltage with the recorded peak voltages and supplying a lamp type-indicating signal on the basis of the comparison (column 1, lines 62-67, and column 2, lines 1-7).

As to claim 3, Giannopoulos discloses a device wherein the means for supplying a control current to the lamp are formed by a source of comparatively high-frequency square wave voltage supplying (column 2, line 57), via a series-resonance chain (column 2, lines 58-59), a corresponding control current to the lamp (Figure 1, element 25), characterized in that means are present for square-wave frequency modulating the comparatively high-frequency square-wave voltage (column 2, lines 57-58).

As to claim 4, Giannopoulos discloses a device wherein the means for supplying a control current to the lamp are formed by a source of comparatively high-frequency square wave voltage supplying (column 2, line 57), via a series-resonance chain (column 2, lines 58-59), a corresponding control current to the lamp (Figure 1, element 25), characterized in that means are present for square-wave pulse width modulating the comparatively high-frequency square-wave voltage (column 2, lines 57-58).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Giannopoulos et al (US Patent 6160361) in the view of Alexandrov (US Publication 2004/0124785). Giannopoulos teaches a device as claimed in claim 2, wherein the means for supplying a control current to the lamp are formed by a source of a comparatively high-frequency square-wave voltage supplying (column 2, lines 57-61), via a series-resonance chain (column 2, line 59), a corresponding control current to the lamp (column 1, line 54). Furthermore he also teaches means for square-wave amplitude modulating the direct voltage supplied to the source of a comparatively high-frequency square-wave voltage (column 2, lines 57-58, and column 1, lines 54-55). Giannopoulos, however does not teach that the source of comparatively high-frequency square wave voltage is fed with a direct voltage from an AC/DC converter. Alexandrov teaches an apparatus for arc detection in discharge lamp wherein the circuitry comprises AC/DC converter (Figure 2, element AC/DC converter). It would have been obvious to one of the ordinary skill in the art during the time the invention was made to incorporate AC/DC converter as taught by Alexandrov into the apparatus taught by Giannopoulos, because as shown in Giannopoulos's circuit the input starts from the DC source (Figure 1, element 13), and it is well known in the art that the standard house

outlet supplies AC signal (<http://www.school-for-champions.com/science/acwiring.htm>), so that in order to make it possible for the user to use the apparatus at home if needed, it would be beneficiary to include AC/DC converter. It would be a very convenient solution since a user would not need to use an additional converter. Furthermore it would provide AC/DC converter along with the apparatus would prevent from possible damage to the equipment caused by the user connecting wrong AC/DC converter with the apparatus.

### ***Response to Arguments***

5. Applicant's arguments filed May 5, 2006 have been fully considered but they are not persuasive.

6. With respect to the applicant's assertions on page 4, comparing the ballast to the programmed computer and also stating that capability of certain device performing specific method is a matter of speculation, the examiner disagrees with those two arguments. First of all the lamp ballast is totally different art from the programmed microprocessor. The examiner would like to point out that the case law is specific in every case and situation, and the decisions on the particular cases should not be generalized over all the existing applications. Furthermore the applicant on page 4 stated, "if the examiner's assertion were proper, then no ballast containing a microprocessor would be patentable", with respect to this assertion, the examiner would like to note that this argument is irrelevant to the current application. In none of the

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existing claims, the applicant claims such ballast. The examiner would like to note one more time that each application is treated individually on its merits.

7. Furthermore the applicant alleges on page 4, that the Giannopoulos et al do not disclose peak detection, the examiner indicated the paragraph in the prior art stating the specific current level is measured (Figure 4B), which is considered a current peak.

### ***The Prior Art***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- WO 00/07415 discloses ballast for operating different types of lamp loads through the identification of the lamp.

### ***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

10. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Inquiry***

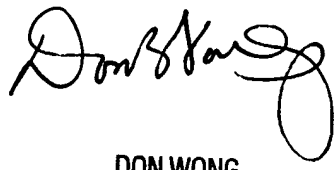
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela M. Lie whose telephone number is 571-272-8445. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



**Angela M Lie**



**DON WONG**  
SUPERVISORY PATENT EXAMINER  
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